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Congress of the United States
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September 19, 2023

The Honorable Antony Blinken
Secretary
U.S. Department of State
Washington, DC 20520

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Blinken and Secretary Mayorkas,

We are writing to request that you rigorously enforce the Uyghur Human Rights Policy Act (UHRPA) and the Uyghur Forced Labor Prevention Act (UFLPA) by determining for sanctions, as required by these laws, the perpetrators involved in human rights abuses and forced labor in connection with Uyghur and other Muslim minority groups of the Xinjiang Uyghur Autonomous Region (XUAR) within the People's Republic of China (PRC).

The previous administration as well as the Biden administration have determined that the PRC government's actions against the Uyghurs and other Muslim minority groups in the XUAR amount to genocide.¹ In response to this genocide by the PRC government, Congress passed the UHRPA and UFLPA into law in June 2020 and December 2021 respectively. The UHRPA and UFLPA require the President to identify and determine for sanctions on foreign persons, including officials of the PRC government, who are involved in human rights abuse and forced labor of Uyghur and other Muslim minority groups of the XUAR.

To address the PRC government's human rights abuses in the XUAR, the previous administration sanctioned eight persons (including six PRC government officials and two PRC entities) in July 2020 under the Global Magnitsky Human Rights Accountability Act and

¹ Michael R. Pompeo, *Determination of the Secretary of State on Atrocities in Xinjiang*, U.S. DEP'T OF STATE (Jan 19, 2021) available at www.2017-2021.state.gov/determination-of-the-secretary-of-state-on-atrocities-in-xinjiang/index.html & U.S. Congress, Senate, Committee on Foreign Relations: Nomination of Hon. Antony J. Blinken to be U.S. Secretary of State – Part 1, 117th Cong., 1st sess., 2021.

Executive Order 13818.² In a similar vein, the Biden administration has sanctioned four PRC officials, two each in March and December 2021, under Executive Order 13818.³ However, the Biden administration has *not imposed any sanctions* under UHRPA that would hold perpetrators of Uyghur human rights abuses and forced labor accountable.

In March 2023, this Committee held a hearing to further expose the PRC government's ongoing genocide against the Uyghurs and invited Uyghur genocide and forced labor victims to testify before Congress. The victims and expert witnesses decried the PRC government's crimes against Uyghurs and other Muslim minority groups in the XUAR and called on the U.S. government to take further actions to hold the perpetrators of these human rights abuses and forced labor accountable.

In May 2023, Wang Huning, a member of the Standing Committee of the Politburo, the top decision-making body of the Chinese Communist Party (CCP), reiterated the "importance of complete and accurate implementation of the Party's Xinjiang policies in the new era to build a solid foundation for long-term security and stability in Xinjiang."⁴ Wang's comment signaled the CCP's determination to continue and to double down on its ongoing genocide against the Uyghurs and other ethnic minorities.

The PRC government's ongoing genocide should not go without consequence. The United States must take action to hold PRC perpetrators accountable and thus disincentivize further human rights abuses against the Uyghurs and other groups.

Our concern is only further heightened in light of recent reports that officials inside the State Department reportedly worked to delay the implementation of UHRPA sanctions as it pursued one-sided engagement with the PRC in the aftermath of the spy balloon incident.⁵ If true, this would, in effect, be tantamount to the Biden administration turning a blind eye to the ongoing Uyghur genocide in order to curry favor with the PRC government – an adversarial, authoritarian regime. We must never sacrifice our moral leadership for shallow, one-sided engagement with Beijing.

² *Treasury Sanctions Chinese Entity and Officials Pursuant to Global Magnitsky Human Rights Accountability Act*, U.S. DEP'T OF TREASURY (Jul. 9, 2020) available at www.home.treasury.gov/news/press-releases/sm1055 & *Treasury Sanctions Chinese Entity and Officials Pursuant to Global Magnitsky Human Rights Executive Order*, U.S. DEP'T OF TREASURY (Jul. 31, 2020) available at www.home.treasury.gov/news/press-releases/sm1073.

³ *Treasury Sanctions Chinese Government Officials in Connection with Serious Human Rights Abuse in Xinjiang*, U.S. DEP'T OF TREASURY (Mar. 22, 2021) available at www.home.treasury.gov/news/press-releases/jy0070 & *Treasury Sanctions Perpetrators of Serious Human Rights Abuse on International Human Rights Day*, U.S. DEP'T OF TREASURY (Dec. 10, 2021) available at www.home.treasury.gov/news/press-releases/jy0526.

⁴ *Top political advisor urges implementing of Party's Xinjiang policies*, CGTN (May 25, 2023) available at www.news.cgtn.com/news/2023-05-25/Top-political-advisor-urges-implementing-of-Party-s-Xinjiang-policies-1k5hwDELxMQ/index.html.

⁵ Michael Martina, *Insight: Why the US delayed China sanctions after shooting down a spy balloon*, REUTERS (May 11, 2023) available at www.reuters.com/world/us/why-us-delayed-china-sanctions-after-shooting-down-spy-balloon-2023-05-11/.

In this context, we respectfully request that you determine as soon as possible but no later than October 6, 2023:

1. Whether the following senior PRC officials of the XUAR, each of whom is a member of the CCP Xinjiang Standing Committee and has thus played instrumental roles in formulating and implementing policies of Uyghur genocide and forced labor, meet the criteria for sanctions as required by the UHRPA and UFLPA. In the event you determine any of these officials do not meet the criteria for sanctions, please elaborate on your reasoning in each case:⁶
 - a. Ma Xingrui (马兴瑞), Communist Party Secretary of the Xinjiang Uyghur Autonomous Region;
 - b. Li Yifei (李邑飞), Secretary of the Party Committee of the Xinjiang Production and Construction Corps;
 - c. He Zhongyou (何忠友), Secretary of the Municipal Party Committee of Urumqi;
 - d. Zhang Chunlin (张春林), Deputy Party Secretary of the Xinjiang Uyghur Autonomous Region;
 - e. Wang Mingshan (王明山), Secretary of the Political and Legal Committee of the Xinjiang Uyghur Autonomous Region;
 - f. Ilzat Ahmetjan (伊力扎提·艾合买提江), Minister of the United Front Work Department of the Xinjiang Uyghur Autonomous Region;
 - g. Qadan Käbenuly (哈丹·卡宾), Member of the Party Standing Committee of the Xinjiang Uyghur Autonomous Region;
 - h. Yüsüpjan Memet (玉苏甫江·麦麦提), Vice Chairman of the People's Government of the Xinjiang Uyghur Autonomous Region;
 - i. Wang Jianxin (王建新), Member of the 20th Central Commission for Discipline Inspection;

⁶ *Architects of the Uyghur Genocide-Chinese Government Agencies behind the Systematic Repression*, MEDIUM (Jun. 23, 2023) available at www.medium.com/@uyghurrightsmonitor/architects-of-the-uyghur-genocide-chinese-government-agencies-behind-the-systematic-repression-38ccdf8c337e.

- j. Chen Weijun (陈伟俊), Executive Vice Chairman of Xinjiang Uyghur Autonomous Region;
 - k. Tian Xiangli (田湘利), Director of the Xinjiang Uyghur Autonomous Region Disciplinary Inspection Committee;
 - l. Zhang Zhu (张柱), Dean of the Xinjiang Uyghur Autonomous Region Party School;
 - m. Yang Cheng (杨诚), Lieutenant General Political Commissar of the Xinjiang Military District.
2. Whether any of the following 25 entities has been involved in using Uyghur forced labor and meets the criteria for being placed on the UFLPA Entity List maintained by the Department of Homeland Security. In the event you determine any of these entities do not meet the criteria for sanctions, please elaborate your reasoning in each case:
- a. Xinjiang Guoxing Agricultural Development Co., Ltd.⁷
 - b. Lu Thai Textile Co., Ltd.⁸
 - c. Qingdao Jifa Group Col., Ltd.⁹
 - d. Qingdao Jifa Import and Export Co., Ltd.¹⁰
 - e. Qingdao Huahe Knitting Co., Ltd.¹¹
 - f. Xinjiang Xirong Clothing Co., Ltd.¹²
 - g. Xinjiang Uyghur Autonomous Region (XUAR) Prison Administration Bureau¹³
 - h. Xinjiang Uyghur Autonomous Region (XUAR) State-owned Assets Supervision and Administration Commission¹⁴
 - i. Xinjiang Huaxin Rui'an Group Co., Ltd.¹⁵

⁷ *The Uyghur Forced Labor Prevention Act, Proactive Risk Management for Supply Chain Exposure*, KHARON (Jun. 2022) available at www.brief.kharon.com/whitepapers/the-uyghur-forced-labor-prevention-act-proactive-risk-management-for-supply-chain-exposure.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

- j. Xinjiang Huaxin Bona Trading Co., Ltd.¹⁶
- k. Capital Concord Enterprises Limited¹⁷
- l. Fujian Sunshine Footwear Co., Ltd.¹⁸
- m. Fulgent Sun International (Holding) Co., Ltd.¹⁹
- n. Fulgent Sun Footwear Co., Ltd.²⁰
- o. Ganfeng Zhongkai Mining Technology Co., Ltd.²¹
- p. Xinjiang Xinfeng Lithium Mine (Ganfeng) Co., Ltd.²²
- q. China Electronics Technology Group Corporation²³
- r. Xinxiang Tianli Energy Co., Ltd.²⁴
- s. Chengdu Tianqi Lithium Industry Co., Ltd.²⁵
- t. Akto Kebang Manganese Manufacturing Co., Ltd.²⁶
- u. Xinjiang Nonferrous Metal Industry (Group) Co., Ltd.²⁷

¹⁶ *Id.*

¹⁷ Jake Galant, *Understanding How Forced Labor Can Impact Footwear Manufacturing*, KHARON (Aug 1, 2023) available at www.brief.kharon.com/updates/understanding-how-forced-labor-can-impact-footwear-manufacturing.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ Elena Mazneva, *China Moves Closer to Battery Domination with VW Lithium Deal*, BLOOMBERG (Apr. 5, 2019) available at www.bloomberg.com/news/articles/2019-04-05/china-moves-closer-to-battery-domination-with-vw-lithium-deal.

²² *Chengli xinjiang malingshu (xinjiang) gang ye youxian gongsi*, 成立新疆马铃薯（新疆）钢业有限公司 [Xinkuang Ganfeng (Xinjiang) Lithium Industry Co., Ltd. was registered and established], WEIXIN (May 20, 2022).

²³ Gerry Shih, *AP Exclusive: Digital Police State Shackles Chinese Minority*, AP NEWS (Dec. 17, 2017) available at www.apnews.com/article/1ec5143fe4764a1d8ea73ce4a3e2c570.

²⁴ Laura T. Murphy, Kendyl Salcito, Yalkun Uluyol & Mia Rabkin, *Driving Force Automotive Supply Chains and Forced Labor in the Uyghur Region*, SHEFFIELD HALLAM UNIVERSITY, THE HELENA KENNEDY CENTRE FOR INTERNATIONAL JUSTICE (Dec. 2022) available at www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/driving-force.

²⁵ *Id.*

²⁶ *Id.*

²⁷ Laura T. Murphy, Jim Vallette & Nyrola Elima, *Built on Repression PVC Building Materials' Reliance on Labor and Environmental Abuses in the Uyghur Region*, SHEFFIELD HALLAM UNIVERSITY, THE HELENA KENNEDY CENTRE FOR INTERNATIONAL JUSTICE (Jun. 2022) available at www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/built-on-repression.

- v. TCL Zhonghua Renewable Energy Technology Co., Ltd.²⁸
 - w. Chalkis (Zhongji) Health Industry²⁹
 - x. Ganfeng Lithium Co., Ltd.³⁰
 - y. Tianshan Aluminum Co., Ltd.³¹
3. Whether any of the entities listed on the UFLPA Entity List maintained by the Department of Homeland Security for their involvement in Uyghur forced labor meet the criteria for sanctions as required by UFLPA. In the event you determine any of these entities do not meet the criteria for sanctions, please elaborate on your reasoning in each case.³²

The House Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party has broad authority to “investigate and submit policy recommendations on the status of the Chinese Communist Party’s economic, technological, and security progress and its competition with the United States” under H. Res. 11.

To make arrangements to deliver a response, please contact Select Committee staff at (202) 226-9678.

We appreciate in advance your timely response to this important matter.

Sincerely,



Mike Gallagher
Chairman
House Select Committee on China

²⁸ Ines Chung & Edmund Xu, *Emerging Market Fund Managers Face Questions over Investments Exposed to Forced Labor*, KHARON (Jul. 18, 2023) available at www.brief.kharon.com/updates/emerging-market-fund-managers-face-questions-over-investments-exposed-to-forced-labor.

²⁹ Laura T Murphy, Nyrola Elimä & David Tobin, *Until Nothing Is Left” China’s Settler Corporation and Its Human Rights Violations in the Uyghur Region*, SHEFFIELD HALLAM UNIVERSITY, HELENA KENNEDY CENTRE FOR INTERNATIONAL JUSTICE (Jul. 2022) available at www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/until-nothing-is-left.

³⁰ *Supra*, n. 24.

³¹ *Id.*

³² *UFLPA Entity List*, U.S. DEP’T OF HOMELAND SECURITY (Aug. 1, 2023) available at www.dhs.gov/uflpa-entity-list.

CC:

The President of the United States, The Honorable Joseph Biden
The Secretary of Treasury, The Honorable Janet Yellen